

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 13 2019
Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-2256 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-7283 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-8780 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Gary Fielding
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Dennis & Renea Leavitt
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or ☐ and/or
- Mailing address 220 N 740 W City Blackfoot State ID ZIP 83221
- Telephone 208-684-4842 208-680-4842 Email spudsrus@ida.net

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 8-03-2018
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
- ☐ A copy of the conveyance document -- warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☐ Filing fee (see instructions for further explanation):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 35-2256

8. Signature: Dennis Leavitt Title, if applicable _____ Date 2-11-19
Signature of new owner/claimant
- Signature: Renea Leavitt Title, if applicable _____ Date 2-11-19
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 2/13/2019 Receipt No. E044711 Receipt Amt. \$75-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by JB Processed by CR Date 2/25/19

RECORDER'S INFORMATION:

Prepared by:
Yturri Rose LLP
P.O. Box S
Ontario, OR 97914

Until a change is requested, all tax
statements shall be sent to:
Dennis & Kenea Leavitt
220 N 740 W
Blackfoot, ID 83221

After recording return to:
Yturri Rose LLP
PO Box "S"
Ontario, OR 97914

Instrument # 699268
BINGHAM COUNTY, IDAHO
2018-08-06 02:01:33 PM No. of Pages: 6
Recorded for: FIRST AMERICAN TITLE - BLACKFO
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy JPulley
Index To: BARGAIN AND SALE DEED
Electronically Recorded by Simplifile

672299

BARGAIN AND SALE DEED

Grantors, Home Farm, LLC, an Idaho Limited Liability Company, and G. Fielding Blackfoot River Ranch, LLC, an Idaho Limited Liability Company, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto Dennis V. Leavitt and Kenea C. Leavitt, husband and wife. Grantees, and Grantees' heirs and assigns forever, all of its right, title, and interest in and to the following described real estate located in the COUNTY of CITY, STATE:

See Exhibit A attached hereto and by this reference incorporated herein

TOGETHER with all improvements, water, water rights, ditch rights, easements, hereditaments and appurtenances thereto.

Grantors do hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the Grantee, its heirs and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantors have executed this instrument on this 26th day of July, 2018.

YTURRI ROSE LLP
ATTORNEYS AT LAW
P.O. BOX "S"
ONTARIO, OREGON 97914
(503) 887-5324
(541) 889-2432 - fax
Professional Internet E-mail:

BARGAIN AND SALE DEED
402017.0/d1/03Aug18/mc

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E-RECORDED simplifile

ID: 699268
County: Bingham
Date: 8-6-18 Time: 2:01pm

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IN WITNESS WHEREOF, the Grantors have executed this instrument on this 26th day of July, 2018.

Home Farm, LLC

Gary R. Fielding
By: Gary R. Fielding, Member & Manager

G. Fielding Blackfoot River Ranch, LLC

Gary R. Fielding
By: Gary R. Fielding, Member & Manager

Dennis V Leavitt
Dennis V Leavitt

Kenea C. Leavitt
Kenea C Leavitt

State of Idaho)
) ss.
County of Bingham)

On this 3rd day of August in the year 2018, before me, a Notary Public, personally appeared Dennis V Leavitt and Kenea C Leavitt, known or identified to me to be the persons whose names is subscribed to the within instrument, and acknowledged to me that they executed the same.



[Signature]
Notary Public for Idaho
My Commission Expires: 11/27/2021

STATE OF Idaho)
)
) ss.
COUNTY OF Bingham)



Notary Public of Idaho
Residing at: Blackfoot, Idaho
Commission Expires: 11/27/2021

EXHIBIT A

Real property in the County of Bingham, State of Idaho, described as follows:

Township 1 South, Range 36 E.B.M., Bingham County, Idaho

Section 31: SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$

LESS Commencing at the Southeast corner of said Section 31, thence North along the Section line 430 feet; thence West 100 feet; thence South 430 feet; thence East 100 feet to the point of beginning.

ALSO LESS I-15

RP0398702 / RP0398703

Section 32: SW $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$

LESS Commencing at the Southwest corner of said Section 32, thence North along the Section line 430 feet; thence East 300 feet; thence South 430 feet; thence West 300 feet to the point of Beginning.

RP0399200

Section 32: Commencing at a point 121 rods due West of the Northeast corner of the SE $\frac{1}{4}$, running thence due South 125 rods, more or less, to the South bank of Lavaside Canal; thence in a Northeast direction along meanderings of said canal to a point where said canal intersects the East boundary line of said Section 32; thence South along said East boundary line to the Southeast corner of said Section 32; thence West 240 rods; thence North 160 rods; thence East 119 rods to the point of beginning.

EXCEPT Commencing at the Southeast corner of said Section 32, thence N. 73°27'30" W. 2013.60 feet to a point in the Westerly fence line of a North and South County Road, said point being the Real Point of Beginning.

thence N. 1°43'30" W. along said fence line 1091.91 feet;

thence N. 89°28'30" W. 666.18 feet;

thence S. 0°49'30" E. 820.22 feet;

thence S. 6°03' W. 491.65 feet;

thence S. 89°56'30" E. 189.96 feet;

thence N. 59°56'30" E. 130.22 feet;

thence N. 80°00' E. 297.71 feet;

thence N. 56°36' E. 171.65 feet to the Real Point of Beginning.

ALSO EXCEPT Beginning at a point on the Northerly right-of-way of a county road, said point being N. 89°41'13" W. 26.36 feet along the section line and N. 05°28'59" E. 25.10 feet from the S $\frac{1}{4}$ corner of said Section 32,

and running thence N. 89°41'13" W. 407.20 feet along said right-of-way;

thence N. 04°01'14" E. 1118.32 feet to an irrigation riser;

thence N. 02°25'38" W. 849.34 feet;
 thence N. 49°04'36" E. 279.16 feet;
 thence S. 83°39'20" E. 202.86 feet;
 thence S. 01°24'09" E. 1298.28 feet to an angle point on the West line of State of Idaho Deed as described in Book 104, Page 75, recorded in Bingham County;
 thence S. 05°28'59" W. 832.73 feet along said State of Idaho Deed to the Point of Beginning.
ALSO EXCEPT That portion of the NW¼SE¼ lying in the following:
 Beginning at the center of Section 32 and running thence East 527 feet;
 thence South 734 feet;
 thence East 120 feet, more or less to Berggren Lane;
 thence Northeasterly along Berggren Lane 404 feet, more or less;
 thence Northwesterly approximately 458 feet, more or less, to a point which is 717 feet East of the center of said Section 32;
~~thence North 660 feet; thence West 717 feet;~~
 thence South 660 feet to the point of beginning.
ALSO EXCEPT Commencing at the S¼ Corner of said Section 32;
 thence N. 89°41'13" W. 26.36 feet along the Section line;
 thence N. 05°28'59" E. 25.10 feet to the North Right of Way of Rose Road (Project 1833 (2) which is the POINT OF BEGINNING.
 thence N. 05°28'39" E. 341.07 feet along the East line of land described in Deed Instrument No. 488570 also the Southwest corner of land described in Deed Book 104 page 75 (State Gravel Pit);
 thence along said deed (State Gravel Pit) the following four (4) courses:
 1) N. 89°28'51" E. 189.73 feet (record 189.96 feet);
 2) thence N. 59°21'51" E. 131.02 feet (record 130.22 feet);
 3) thence N. 79°25'21" E. 297.20 feet (record 297.71 feet);
 4) thence N. 56°01'21" E. 171.65 feet;
 thence S. 02°18'09" E. 20.91 feet to the said North Right of way of Rose Road point being on a curve, whose radius bears S. 23°30'43" E. 434.25 feet;
 thence along said North Right of Way the following four (4) courses:
 1) Southwesterly 129.29 feet along said curve to the left, said project 1833 (2) Station P.C. 564+94.3, curve data= Delta 17°03'30", Radius 434.25 feet, chord bearing S 57°57'31" W 128.81 feet;
 2) thence S. 49°25'45" W. 606.96 feet to a curve P.T. Station 558+86.7;
 3) thence Southwesterly 217.39 feet along said curve to the right, which is a nontangent curve whose radius bears N. 39°05'04" W. 333.09 feet, curve data= Delta 37°23'36", Radius 333.09 feet, chord bearing S. 69°35'16" W. 213.55 feet to the point of beginning.
ALSO EXCEPT Commencing at the S¼ Corner of said Section 32; Thence N. 89°41'13" W. 26.36 feet along the Section line;
 Thence along the East line of land described in deed Instrument No. 488570
 N. 05°28'59" E. 857.83 feet;
 thence N. 01°24'09" W. 820.22 feet along said East line to the POINT OF BEGINNING.
 thence N. 01°24'09" W. 478.06 feet along said East line to the Northeast corner of land described in said Deed Instrument No. 488570;
 thence N. 89°56'51" E. 524.25 feet to the West line of land described in Deed Instrument No. 597987;

thence along said deed the following Two (2) courses:

1) S. 00°33'39" W. 236.29 feet;

2) thence S. 89°48'40" E. 168.57 feet to the West right of way line of a County Road;
thence S. 03°00'01" W. 241.28 feet along said West line to the Northeast corner of land
described in Deed Instrument No. Book 104 page 75 (State Gravel Pit);

thence S. 89°56'51" W. 666.18 feet to the point of beginning.

ALSO EXCEPT that portion of the SE 1/4 of Section 32, Township 1 South, Range 36 East,
Bingham County, lying South of West River Road.

TOGETHER WITH: Idaho Department of Water Resources Water Right Numbers:

#35-2256, #35-7283 and #35-8780.

**ALSO TOGETHER WITH: 75 SHARES of water stock in THE NEW LAVASIDE DITCH CO., LTD.
AND 175 Acres Water Right with THE NEW SWEDEN IRRIGATION DISTRICT.**



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 25, 2019

DENNIS LEAVITT
220 N 740 W
BLACKFOOT ID 83221-5235

KENEA LEAVITT
220 N 740 W
BLACKFOOT ID 83221-5235

Re: Change in Ownership for Water Right No(s): 35-2256, 35-7283, 35-8780

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 525-7161.

Sincerely,

Cher Ramos
Technical Records Specialist 1

Enclosure(s)

cc: The Bank of Commerce
Bingham Ground Water District
Water District 120